

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CRISTHIAN RAMIREZ,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	NO.
JOHANN WESLEY WILCOX and	:	
JOSE LEBRON,	:	
Defendants.	:	JURY TRIAL DEMANDED

COMPLAINT

1. The Plaintiff, Cristhian Ramirez, is an adult individual presently housed at 514 W. Broad Street, Bethlehem, Lehigh County, PA 18018.
2. The Defendant, Johann Wesley Wilcox, was at all relevant times, a City of Allentown Police Officer, and an adult individual with offices at the City of Allentown Police Department located at 425 Hamilton Street, Allentown, Lehigh County, Pennsylvania, 18101.
3. The Defendant, Jose Lebron, was at all relevant times, a City of Allentown Police Officer, and an adult individual with offices at the City of Allentown Police Department located at 425 Hamilton Street, Allentown, Lehigh County, Pennsylvania, 18101.
4. The Defendants were at all times "state actors."

JURISDICTION

5. This Honorable Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331 and § 1343, 42 U.S.C. § 1983 and the Fourth and Fourteenth Amendments to the United States Constitution.

6. On or about May 23, 2014, Plaintiff was a passenger in the rear of a vehicle that was pulled over by the Defendants for an illegal turn of a vehicle.

7. The Defendants had actual knowledge that the operator was a female.

8. The Defendant, Wilcox, had actual knowledge that there was no probable cause to arrest Plaintiff, but Defendant, Wilcox elected to detain Plaintiff and put handcuffs on Plaintiff.

9. After the vehicle was pulled over and come to a complete stop by the Defendants, the Plaintiff was pulled out of the vehicle by the Defendants for no valid reason.

10. While Plaintiff was being taken into custody, Plaintiff was knocked to the ground, kneed multiple times and at least once while the handcuffs were on him and punched several times, by Defendants.

11. While Plaintiff was handcuffed, he was again kneed by Defendants and forcibly thrown into the side of a police vehicle with such force as to cause the vehicle to shake.

12. After beating up the Plaintiff, the Defendant, Wilcox, attempted to cover up the illegal arrest and the excessive force by filing a summary offense of Disorderly Conduct under 18 PA. C.S.A. § 5503 (a) (4).

COUNT ONE
Plaintiff v. Defendant, Johann Wesley Wilcox
(Illegal Arrest)

13. The allegations of Paragraphs 1 through 12 inclusive are incorporated herein as if fully set forth at length.

14. Plaintiff was detained and handcuffed by Defendant, Wilcox, without engaging in any criminal misconduct and with actual knowledge by the Defendant, Wilcox, that Plaintiff did nothing wrong.

15. As a direct and proximate result of the unlawful arrest without probable cause and seizure of Plaintiff, Plaintiff suffered deprivation of his constitutional right to be free from arrest, without probable cause in violation of the Fourth and Fourteenth Amendment to the United States Constitution for which he seeks compensation.

16. As a direct and proximate result of action of the Defendant, Plaintiff endured an intentional deprivation of Plaintiff's constitutional rights, and Plaintiff suffered mental pain and suffering, anxiety, anguish, distress, stress, sleeplessness, embarrassment and humiliation in an amount to be determined.

17. The actions of Defendant, Wilcox, were outrageous, egregious, intentional, willful, wanton, reckless and in deliberate disregard of Plaintiff's rights entitling Plaintiff to punitive damage in an amount to be determined.

WHEREFORE, Plaintiff, Cristhian Ramirez, demands judgment against Defendant, Johann Welsey Wilcox in an amount to be determined together with costs of suit and statutory attorney fees.

COUNT TWO
(Plaintiff v. Defendants, Johann Wesley Wilcox and Jose Lebron)
(Excessive Usage of Force)

18. The allegations of Paragraphs 1 through 17 inclusive are incorporated herein as if fully set forth at length.

19. While Plaintiff was being taken into an illegal detention, Defendants Wilcox and Lebron, physically abused Plaintiff by intentionally knocking Plaintiff to the ground, kneeling and punching Plaintiff in his body and head and then forcibly throwing Plaintiff into the side of a police vehicle.

20. The excessive usage of force directed against Plaintiff's person was a violation of the Fourth and Fourteenth Amendments to the United States Constitution.

21. The incident was captured on multiple video tapes including police vehicles who "backed up" the Defendants.

22. The Defendant, Johann Wesley Wilcox and Jose Lebron, were acting in concert with each other.

23. As a direct and proximate result of the excessive usage of force by Defendants, Wilcox and Lebron, Plaintiff suffered deprivation of his constitutional right to bodily integrity in violation of the fourth Amendment and Fourteenth Amendment to the United States Constitution for which she seeks compensation.

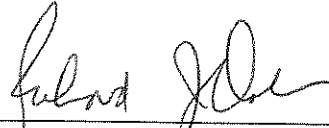
24. As a direct and proximate result of Defendant's intentional deprivation of Plaintiff's constitutional rights to be free from excessive usage of force and bodily integrity, Plaintiff suffered mental pain and suffering, anxiety, anguish, distress, stress, sleeplessness and humiliation in an amount to be determined.

25. The psychological injuries and scarring to Plaintiff are permanent for which Plaintiff claims damage.

26. The actions of Defendants Wilcox and Lebron were outrageous, egregious, intentional, willful, wanton, reckless, and in deliberate disregard of Plaintiff's rights entitling Plaintiff to punitive damages in an amount to be determined.

WHEREFORE, Plaintiff demands judgment against Defendants, Wilcox and Lebron, individually, jointly, or severally in an amount to be determined together with costs of suit and statutory attorney fees.

THE ORLOSKI LAW FIRM

A handwritten signature in black ink, appearing to read 'Richard J. Orloski', is written over a horizontal line.

Richard J. Orloski
Attorney for Plaintiff
Attorney ID# 09857
111 N. Cedar Crest Blvd.
Allentown, PA 18104-4602
610 433-2363